

REMARKS

Status of the Claims

Claims 1, 3, 5, 7, 9, 11, 13 and 15 remain pending in this application and stand ready for further action on the merits.

Office Action Summary

In the Office Action Summary page of the outstanding office action at item "4)" claim 5 is not indicated as being pending, even though at item "6)" claim 5 is rejected. Correction of USPTO records is requested, to show that claim 5 is pending (even if it is rejected).

Rejection under 35 USC § 102(b)

The Examiner rejects claims 1, 3, 5, 7, 9, 11, 13 and 15 as anticipated under the provisions of 35 USC § 102(b) by Oi et al. EP 0970976 A1 (EP '976). Applicants traverse the rejection and respectfully request reconsideration and withdraw thereof based on the following considerations.

Incorporation of Earlier Remarks

The instant rejection is identical to that set forth in the prior office action of March 16, 2004. As such, Applicants

incorporate herein by reference in their entirety remarks set forth in the prior response of June 16, 2004, as set forth at page 2, line 12 to page 4, line 15 thereof. The Examiner is respectfully requested to review such remarks at this time. It is submitted that a proper reconsideration of the same will result in withdrawal of the outstanding anticipation rejection and an allowance of each of pending claims 1, 3, 5, 7, 9, 11, 13 and 15.

Conclusion

Based on the comments presented herein, as well as those submitted previously in the prior response of June 16, 2004, Applicants respectfully request that the outstanding rejection under 35 USC § 102(b) be withdrawn and that all pending claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number of the undersigned below, to help expedite prosecution in connection with the present application.

Reply Under 37 CFR § 1.111
To Office Action Of October 5, 2004

Docket No. 2185-0579P
Appl. No. 09/972,879

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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2185-0579P

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